



# 3

RECEIVED 4/4

JUN 19 2002

TECH CENTER 1600/2000 NT

Customer No. 22,852

Attorney Docket No. 04734.0005-00000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
**Hartmut STROBEL et al.** ) Group Art Unit: 1614  
)  
Application No.: 10/073,203 ) Examiner: not yet assigned  
)  
Filed: February 13, 2002 )  
)  
For: ACYLATED 6,7,8,9- )  
TETRAHYDRO-5H- )  
BENZOCYCLOHEPTENYL )  
AMINES AND THEIR USE AS )  
PHARMACEUTICAL AGENTS )

Commissioner for Patents  
Washington, DC 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are enclosed, including all documents cited in a search report from the European Patent Office in a corresponding application. Further, a copy of the search report is enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 18, 2002

By:   
Carol P. Einaudi  
Reg. No. 32,220

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com